

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Kevin L. Farmer

Docket No. 7:01-CR-95-1BO

Petition for Action on Supervised Release

COMES NOW David W. Leake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kevin L. Farmer, who, upon an earlier plea of guilty to Distribution and Possession With Intent to Distribute Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), and Possession of a Firearm by a Convicted Felon, in violation of 18 U.S.C. § 922(g)(1), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on December 11, 2001, to the custody of the Bureau of Prisons for a term of 285 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On August 2, 2016, pursuant to 28 U.S.C. § 2255, the imprisonment sentence was reduced to time served. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 48 months.

Kevin L Farmer was released from custody on August 3, 2016, at which time the term of supervised release commenced.

The court approved a Petition for Action on Supervised Release submitted on August 11, 2016, which modified the defendant's conditions of release to include a psycho-sexual evaluation.

The court approved a Petition for Action on Supervised Release submitted on September 16, 2016, which modified the defendant's conditions of release to include participation in a mental health program.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant submitted to a urine test on May 15, 2017, which was confirmed positive for cocaine by Alere Laboratories. When confronted about the positive drug test on June 5, 2017, the defendant confessed to using crack cocaine prior to the May 15th drug test, and further confessed to using crack cocaine on or about May 31, 2017. Therefore, as a result of his cocaine use, a 2-day jail term is recommended. To address future drug use, it is recommended that the DROPS program has been added (2nd use level). Additionally, the defendant was taught the STARR Cognitive Model on June 5, 2017, to assist him with his decision making ability, and he will be required to participate in substance abuse treatment at Coastal Horizons, Inc. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days; The defendant shall begin the DROPS Program in the second use level.
2. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ David W. Leake
David W. Leake
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2045
Executed On: June 16, 2017

ORDER OF THE COURT

Considered and ordered this 16 day of June, 2017, and ordered filed and
made a part of the records in the above case.

Terrence Boyle
Terrence W. Boyle
U.S. District Judge